IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

WRIT PETITION NO. 457 (S/S) OF 2004

1. Sukhbir Singh
2. Sanjeev Kumar
3. Rajeev Kumar
4. Samunder Sain …….. Petitioners

Versus

State of Uttaranchal and three others …….. Respondents

Hon'ble M.M. Ghildiyal, J.

Heard Sri Lok Pal Singh learned counsel for the petitioners and learned Standing Counsel.

By means of this petition, the petitioners have prayed for issue a direction to the respondent no.1 (State of Uttaranchal) to accept the options submitted by the petitioners and relieve them from the State of Uttaranchal.

Brief facts giving rise to the present writ petition are that some of the petitioners are constables and one is head constable in the police department. They have submitted their options for the State of U.P. which was prior to the creation of the Uttaranchal, however, no decision has been taken by the Government on the options submitted by the petitioners. The petitioners have alleged that some of the constables who had opted for U.P. have been relieved from the State of Uttaranchal. But their case is not being considered because of in-action on the part of the Government. The petitioners have confined their prayer to the extent that the respondent may be directed to take decision on the options submitted by the petitioners.

In view of above, it is directed that the State of Uttaranchal as well as State of U.P. shall place the record of the petitioners before the Advisory Committee and if the Advisory Committee finds that the options submitted by the petitioners were within time prescribed by

the Government, the Committee will recommended the case to the Union of India who shall decide the issue as early as possible.

With these directions, the writ petition is finally disposed of.

Sd/-

Dated: 12.5.2004
Rawat